UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/755,002	01/05/2001	Keith G. Kaan	59.0040	4662

23718	7590	08/23/2004	EXAMINER

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EXAMINER
SHINGLES, KRISTIE D

ART UNIT	PAPER NUMBER
2141	9

DATE MAILED: 08/23/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☐ Responsive to communication(s) filed on _____.
2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-29* is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) *1-29* is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☒ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on *05 January 2001* is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a) ☐ All   b) ☐ Some * c) ☐ None of:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. _____.
    3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *6/11/01 & 3/21/02*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claims 1-29 are pending.

Priority

1.   Acknowledgment is made of applicant's claim for domestic priority under 35 U.S.C. 120.

The certified copy has been filed in provisional Application No. 60/237,212 filed on 10/05/2000.

Information Disclosure Statement

2.   The information disclosure statements (IDS) submitted on 06/11/01 and 03/21/02 are in

compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure

statements are being considered by the Office. An initialed and dated copy of Applicant's IDS

form 1449, is attached to the instant Office action.

Abstract

3.   The abstract of the disclosure is objected to because of legalese usage: "thereon".

Correction is required. See MPEP § 608.01(b).

Applicant is reminded of the proper language and format for an abstract of the disclosure. The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

Drawings

4.   The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description: 370 and 435. Corrected drawing sheets, or amendment to the specification to add the reference character(s) in the description, are required in reply to the Office action to avoid abandonment of the application. Any amended replacement-drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

5.   The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference character(s) mentioned in the description: 1320. Corrected drawing sheets are required in reply to the Office action to avoid abandonment of the application. Any amended replacement-drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted

by the examiner, the applicant will be notified and informed of any required corrective action in

the next Office action. The objection to the drawings will not be held in abeyance.

Specification

6.   The disclosure is objected to because of the following informalities: 180 should be 190

(pg.9 line 17).

Claim Rejections - 35 USC § 112, second paragraph

7.   Claim 10 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for

failing to particularly point out and distinctly claim the subject matter which applicant regards as

the invention.

Claim 10 recites the limitation "the first router" in lines 1-2. There is insufficient

antecedent basis for this limitation in the claim. Clarification and/or correction are required.

Claim Rejections - 35 USC § 102

8.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless --
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

9.   Claims 1-6, 12-16, 21-24 and 29 are rejected under 35 U.S.C. 102(b) as being anticipated

by Isfeld et al (USPN 5,802,278).

      a.   Per claim 1, Isfeld et al teach a system for managing communication on a

network, the system comprising:

- a first network for connecting to a data acquisition device (col.3 lines 13-14; interconnection of a plurality of networks);
- a router connected to the first network, wherein the router is for connecting to a second network having a number of second network hosts (Abstract and col.1 lines 23-40; by virtue a router is designed to interconnect multiple networks);
- a first network host connected to the first network (col.2 lines 60-64 and col.4 lines 26-30; networks include connected hosts and servers);
- a template file (col.2 line 60-col.3 line 50 and col.11 line 13-col.13 line 39; routing table along with command, free, and receive lists achieve purpose of template file); and
- a manager program for executing by a processor of the first network host to assemble first configuring instructions from the template file for configuring the router, wherein network communication is established among the first network host the router and the second network hosts responsive to the configuring, and the configuring does not disrupt communication on the first network between the first network host and the data acquisition device (col.7 lines 55-64, col.26 line 54-col.27 line 9 and col.43 line 64-col.44 line 35; control and management software performs configuration and management functions while embedded-data transfer instructions are assembled into command lists).

      b.   Claim 12 has limitations substantially similar to those of claim 1, and is therefore

rejected under the same basis.

      c.   Per claim 21, Isfeld et al teach a computer program product in a computer

readable media for use in a data processing system, for managing communication on a network,

comprising:

- user interface instructions for generating a user interface including context sensitive windows for user input to setup and select network connections (col.7 lines 40-51 and col.43 lines 45-47; implementation of user interface

       implies instructions used for generating display windows and selecting network connections);

- manager engine instructions for responding to a user selection received via the user interface (col.7 lines 55-64, col.26 line 54-col.27 line 9 and col.43 line 64-col.44 line 35; control and management software performs configuration and management functions while embedded-data transfer instructions are assembled into command lists);

- configuration module instructions for assembling configuring instructions to send to a router (col.7 lines 55-64, col.26 line 54-col.27 line 9 and col.43 line 64-col.44 line 35; control and management software performs routing protocols, network control protocols and configuration and management functions); and

- communications module instructions for supplying communications protocols and handling the sending of the configuring instructions to the router, wherein the computer program product is for executing on a host in a first network, the network having a router and a data acquisition device connected thereto, the data acquisition device and the first network host being capable of network communication with one another thereon, and the configuring instructions include instructions for configuring the router and establishing communication between the first network host and the router, wherein the configuring does not disrupt the network communication between the first network host and the data acquisition device on the first network (Abstract, col.2 lines 28-col.3 line 65, col.6 lines 2-34, col.40 lines 53-67, col.44 lines 14-35, and col.55 line 50-col.56 line 40; input/output modules support distributed protocol processing which communicates with the central inter-networking engine and the central routing processor and helps manage routing, synchronization, and configuration data).

    d.   Per claim 2, Isfeld et al teach the system of claim 1, wherein the first network host has a predetermined configuration, including parameters defining, a certain identity, and the configuring includes setting, parameters in the router that assign the certain identity to the router, so that the network communication between the first network host and the router is established by the first network host recognizing the router identity (col.8 lines 30-57 and col.20 lines 26-34; devices are provided arbitration and priority IDs for recognition upon communication).

    e.   Claims 13 and 22 have limitations substantially similar to those of claim 2, and are therefore rejected under the same basis.

f.   Per claim 3, Isfeld et al teach the system of claim 2, wherein the configuring,

includes setting parameters in the router for a network connection between the router and the

second network, so that the network communication between the second network hosts and the

router is established by the second network hosts recognizing the router identity via the network

connection (Abstract, col.1 lines 23-40, col.3 lines 13-14, col.7 lines 55-64 and col.21 lines 1-23;

by virtue a router is designed to interconnect multiple networks, Corebus performs device

configuration for routing system).

g.   Claims 14 and 23 have limitations substantially similar to those of claim 3, and

are therefore rejected under the same basis.

h.   Per claim 4, Isfeld et al teach the system of claim 1, wherein the router comprises

a processor, and wherein execution of the configuring instructions by the router processor

automatically performs the router configuring (Fig.1, col.6 line 2-col.7 line 64 col.39 lines 46-49

and col.50 line 64-col.51 line 31; router comprises IOS and IOP processor involved in the storing

of configuration data, whereas Bridge Distributed Protocol Module Server updates and

distributes configuration information and the central processor has the ability to execute remote

configuration services).

i.   Per claim 5, Isfeld et al teach the system of claim 4, wherein the system comprises

second configuring instructions for executing by the router processor upon booting (col.21 lines

1-Table 3; system comprises configuration instructions for execution of the router system upon

powering-up).

j.   Claims 15 and 24 have limitations substantially similar to those of claim 5, and

are therefore rejected under the same basis.

k.   Per claims 6 and 16, Isfeld et al teach systems of claim 5 and 15, wherein the

router comprises a storage unit and the second configuring instructions include instructions

stored in a configuration file on the router storage unit (col.2 lines 28-31 and col.6 lines 52-64;

router system comprises shared memory along with storage in the IOS processor).

l.   Per claim 29, Isfeld et al teach the computer program product of claim 21,

wherein the communications module instructions are also for receiving error messages and

notice of router events from the router, and the computer program product further comprises:

state and status module instructions for capturing the error messages and router events (col.12

lines 19-32, col.19 lines 33-67, col.21 line 25-Table 4 and col.38 lines 47-59; routing system

comprises error status register and interprocessor messages which convey state and control

information, hardware also captures state and status information for each channel).

Claim Rejections - 35 USC § 103

10.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

11.   Claims 7, 17 and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Isfeld

et al in view of Kamper (USPN 6,654,797).

a.   Per claims 7 and 17, Isfeld et al teach the system of claims 5 and 15 as applied

above; however, Isfeld et al do not distinctly teach wherein the router comprises a reader for

reading a portable storage device, and the second configuring instructions include instructions stored on an external storage device readable by the router's reader. Nonetheless, Kamper teaches a removable storage device reader including a removable storage device with configuration data (Abstract).

It would have been *prima facie* obvious to one of ordinary skill in the art at the time the invention was made to provide a routing system with reader capabilities for the purpose of reading and configuring external devices without requiring additional hardware. Thus, one skilled in the art would have been motivated to generate the claimed invention with a reasonable expectation of success.

b.   Per claim 28, Isfeld et al teach the computer program product of claim 22 as applied above; however, Isfeld et al do not distinctly teach wherein the manger engine instructions include instructions for locating a template file responsive to the user selection, and wherein the configuration module instructions include instructions for assembling the configuring instructions from the template file. Nonetheless, Kamper teaches user's ability to access and alter the configuration profile (col.6 lines 20-42).

It would have been *prima facie* obvious to one of ordinary skill in the art at the time the invention was made to provide a template file accessible to the user for the purpose of allowing the user to locate and manually modify the configuration instructions in the file. Thus, one skilled in the art would have been motivated to generate the claimed invention with a reasonable expectation of success.

c.   In addition to Isfeld et al's disclosure regarding claims 5, 15 and 24—Kamper

furthermore, more explicitly teaches performing configuration upon executing a boot-up

sequence with the router/thin server device (Abstract).

12.   Claims 8, 9, 11, 18-20, and 25-27 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Isfeld et al in view of Isfeld et al (USPN 5,483,640).

a.   Per claim 8, Isfeld et al (USPN 5,802,278) teach the system of claim 4 as applied

above; however, Isfeld et al (USPN 5,802,278) do not distinctly teach wherein the first

configuring instructions include instructions for sending to the router from the first host via the

first network for router processor executing. Nonetheless, Isfeld et al (USPN 5,483,640) teach

the a configuration interface that transmits configuration information and data from the inter-

network device and processor to a plurality of input/output devices via a bus coupled a plurality

of network interface devices (Abstract, col.2 lines 26-58 and col.6 lines 51-57).

It would have been *prima facie* obvious to one of ordinary skill in the art at the

time the invention was made to provide sending data from the host to the router via the network

for the purpose of data transmission and communication between the host and the routing

system. Thus, one skilled in the art would have been motivated to generate the claimed

invention with a reasonable expectation of success.

m.   Per claims 9, 18 and 25, Isfeld et al (USPN 5,483,640) in view of Isfeld et al

(USPN 5,802,278) teach the system of claim 8, wherein the first configuring instructions include

parameters for performing a network log-in to initialize the network communication on the first

network between the router and the first network host (col.44 lines 9-35 and col.51 lines 11-45; initialization if performed prior configuration or whenever there exists relevant configuration changes).

n.   Per claim 19, Isfeld et al (USPN 5,483,640) in view of Isfeld et al (USPN 5,802,278) teach method of claim 18, wherein the step of executing the configuring instructions by the router comprises the step of: configuring the router to substitute a network address of the router in place of a network address of the first network host for communicating from the first network host to one of the second network hosts (col.1 lines 23-40 and col.2 line 60-col.3 line 50; characteristic function of router realized through use of routing table for mapping source to destination addresses while updating addresses and data accordingly).

o.   Claim 26 has limitations substantially similar to those of claim 19, and is therefore rejected under the same basis.

p.   Per claims 11, 20 and 27, Isfeld et al (USPN 5,483,640) in view of Isfeld et al (USPN 5,802,278) teach the system of claim 8, wherein the configuring includes configuring the router to not send addresses of nodes in the first network to other routers (col.51 lines 33-65; bridge server has states "BLOCKING" or "DISABLED" which can inhibit or prohibit the transmission of addresses).

Conclusion

13.   The prior art made of record and not relied upon is considered pertinent to applicant's

disclosure.

      a.   Noel et al (USPN 6,760,339) disclose a multi-layer network device in one

telecommunications rack.

      b.   Panas et al (USPN 6,473,857) disclose a centralized boot.

      c.   Falcon et al (USPN 6,295,556) disclose a method and system for configuring

computers to connect to networks using network connection objects.

      d.   Reichmeyer et al (USPN 6,286,038) disclose a method and apparatus for remotely

configuring a network device.

14.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Kristie Shingles whose telephone number is 703-605-4244. The

examiner can normally be reached on Monday-Friday 8:15-5:45.
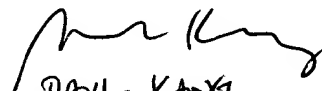
If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Rupal Dharia can be reached on 703-305-4003. The fax phone number for the

organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent

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system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Kristie Shingles
Examiner
Art Unit 2141

kds

PAUL KANG
PRIMARY EXAMINER